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FOR AMB KENNEDY FROM MILLER

E.O. 12356:DECL: OADR

TAGS: IAEA, TNUC, AU

SUBJECT: DAILY REPORT NO. 4 - NUCLEAR

State Dept. review completed

DOE review completed.

1. ( ) DOMENICI AMENDMENT ON URANIUM IMPORTS. HOUSE-SENATE CONFERENCE ON NRC AUTHORIZATION BILL ON SEPT. 16 APPROVED AN AMENDMENT TO THE ATOMIC ENERGY ACT WHICH PROVIDES THAT DOE PREPARE WITHIN SIX MONTHS AND THEREAFTER ON AN ANNUAL BASIS A REPORT ON THE VIABILITY OF THE U.S. URANIUM INDUSTRY. IF STUDY SHOWS THAT IMPORTS EXCEEDED 37.5 PERCENT OF U.S. DOMESTIC REQUIREMENTS, DEPARTMENT OF COMMERCE IS TO STUDY NATIONAL SECURITY IMPLICATIONS OF THIS LEVEL OF IMPORTS. WHILE THE STUDY IS GOING ON, THERE IS TO BE A MORATORIUM ON URANIUM IMPORTS. MORATORIUM CANNOT BE LIFTED UNTIL PRESIDENT HAS TAKEN SUFFICIENT ACTION TO ASSURE THAT IMPORTS DO NOT EXCEED 37.5 PERCENT.

DOS IS SEEKING TO OBTAIN A COPY OF THE TEXT OF THE AMENDMENT BEFORE RENDERING AN OPINION AS TO WHETHER THE AMENDMENT PLACES U.S. IN VIOLATION OF GATT OBLIGATIONS. OF RELEVANCE HERE, FOR EXAMPLE, IS WHETHER AMENDMENT DEALS WITH ACTUAL IMPORTS OR WITH FUTURE CONTRACTS.

AUSTRALIAN EMBASSY HAS ALREADY EXPRESSED CONCERN TO DOS OFFICIALS.

2. ~~SENATE FOREIGN RELATIONS COMMITTEE BRIEFINGS.~~  
DEPARTMENT HAS BEEN ADVISED THAT SENATE FOREIGN RELATIONS COMMITTEE IS SEEKING CONFIDENTIAL BRIEFING ON SEPTEMBER 27 FROM THE CIA ON RECENT NUCLEAR NON-PROLIFERATION MATTERS, PRIMARILY DEVELOPMENTS IN SENSITIVE COUNTRIES. THE AGENCY HAS ADVISED THAT IT WOULD PREFER DOS TO TAKE THE LEAD IN SUCH DISCUSSIONS; HOWEVER CONTACTS WITH THE COMMITTEE STAFF (ALEX GLICKSMAN) BY H INDICATE CONSIDERABLE RESISTANCE TO A JOINT STATE/AGENCY APPEARANCE. SINCE DAS JAMES DEVINE WILL BE BRIEFING THE COMMITTEE ON FOREIGN POLICY ASPECTS OF THE ADMINISTRATION'S NON-PROLIFERATION POLICY ON SEPTEMBER 29 IT IS IMPORTANT THAT EXECUTIVE BRANCH AGENCIES COORDINATE THEIR PRESENTATIONS TO THE EXTENT POSSIBLE. AT MINIMUM, WE ARE ENDEAVORING TO INSURE THAT STATE PERSONNEL CAN BE PRESENT AT ANY AGENCY BRIEFING, SO THAT SURPRISES MAY BE AVOIDED.

SHULTZ

END OF MESSAGE

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